



**CITY OF SUNNYVALE
REPORT
Planning Commission**

November 14, 2005

SUBJECT: **2005-0803 - Southbay Christian Church** [Applicant]
Classic Communities [Owner]: Application for a 2.3-acre
site located at **521 East Weddell Drive** (near Morse Ave) in
an M-S (Industrial & Service) Zoning District.

Motion Use Permit to allow a place of assembly (religious use) in an
existing industrial building.

REPORT IN BRIEF

Existing Site A one-story industrial building located on a corner lot
Conditions

Surrounding Land Uses

North	Across Hetch-Hetchy Right-of-Way, an industrial building with industrial and retail uses (Fair Oaks Industrial Park).
South	Across Highway 101, multi-family residential (Riviera Apartments).
East	A religious place of assembly on industrial zoned property (Korean Catholic Mission).
West	Across Morse Avenue, a hotel (Fair Oaks Inn) and an industrial building used by a transportation business (California Overnight).

Issues 1) Place of Assembly use in Industrial area
2) Parking

Environmental A Negative Declaration has been prepared in compliance
Status with California Environmental Quality Act provisions and
City Guidelines

Staff Approve with Conditions
Recommendation

PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial	Same	Industrial
Zoning District	MS	Same	MS
Lot Size (s.f.)	99,752 (2.29 ac.)	Same	22,500 min.
Gross Floor Area (s.f.)	34,170	Same	34,913 max.
Lot Coverage (%)	34.3%	Same	45% max.
Floor Area Ratio (FAR)	34.3%	Same	35% max.
No. of Buildings On-Site	1	Same	---
Building Height (ft.)	25	Same	75 max.
No. of Stories	1	Same	8 max.
Setbacks (Facing Property from Weddell)			
Front (ft.)	85	Same	25 min.
Left Side (ft.)	24	Same	1-side min. of 0, 20 total both sides.
Right Side (ft.)	66	Same	1-side min. of 0, 20 total both sides.
Rear (ft.)	91	Same	0 min.
Landscaping (sq. ft.)			
Total Landscaping	14,541	20,088	19,951 min.
Frontage width (ft.)	10 ft. on Morse, 24 ft. on Weddell	Same	15 min. or Variance permit 1979-0265
% Based on Lot Area	14.6%	20.1%	20%
Parking Lot Area Shading (%)	43%	59%	50% min. in 15 years
Parking			
Total Spaces	134	136*	178 min.
Standard Spaces	132	85*	116 min.
Compact Spaces (% of Total)	0	45 (33%)	52 (35%) max.



	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Accessible Spaces	2	6	6 min.
Covered Spaces	0	0	0 min.
Aisle Width (ft.)	24-24	24-26	26 min.
Bicycle Parking	0	0	min. 1 Class I (locker) and 23 Class II (racks)

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

* Applicant intends to meet requirement through shared parking plan.
See permit 2005-0804 for 539 E. Weddell.

ANALYSIS

Description of Proposed Project

The applicant proposes using the subject site for a place of assembly with a religious use.

The facility would potentially be open from 8:00 a.m. to 10:00 p.m. seven days a week. The proposed uses include: religious services for adults and children, classrooms, fellowship areas, office space, storage, a kitchen and a café. It will be used regularly for Sunday worship services, midweek evening ministry classes, and special events including church dinners, weddings, concerts and church offices. Most activities (other than office use) will take place in the evenings and on weekends. The applicant has requested approval for a total allowable occupancy of up to 500 people (including adults and children) at one time for Sunday services.

The stated intent of the use is to serve families who would typically be using the site at the same time, so that use of the assembly areas, such as the sanctuary and the kid's church, would be by members of the same family. This clarification is to address the issue of adequate parking. The assumption would be that, based on the stated intent, the two assembly areas would generally have one source of transportation.

The applicant intends to purchase another property (at 539 E. Weddell Drive), located approximately 160 feet east of the subject site. The applicant has submitted a concurrent application for a similar type of use for the 539 E. Weddell site, with the intent to use the alternate site for the use proposed in this application until the subject site is ready for use. The applicant stated the two buildings (521 and 539 E. Weddell) would not be used simultaneously, and they would have a shared parking agreement to meet the needs of both sites.

Background

The City Council has expressed concern with the compatibility of places of assembly being located in Industrial zoning areas and has directed staff to study the impacts and possible requirements for places of assembly in industrial and commercial zones. The results of this study issue are not anticipated until early 2006. This study may also include analysis of modifying and updating parking standards for assembly uses to better address current needs and practices in Sunnyvale.

In September 2005, Council placed a moratorium on applications of this type (place of assembly in an Industrial and Commercial zone) to allow time for the study issue to be completed. However, **this application was received and deemed complete prior to the establishment of the moratorium.** Thus, this application is being reviewed based on the previous standards used to consider an place of assembly use in an Industrial zoned area.

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing / Decision	Date
1979-0265	Variance for a front yard setback to legalize an existing deviation (21.5 feet instead of the required 25)	Administrative Hearing Officer / Approved	10/10/79

The Southbay Christian Church is currently located in Mountain View and the applicant is seeking to relocate to Sunnyvale. They currently have 125 people attending on Sunday mornings and plan to continue to grow their membership. The applicant's plan is to continually grow their Sunday congregation. Once the membership number of 500 adults is reached, approximately 100 adults from the congregation would leave to start a new church elsewhere.

Environmental Review

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed religious place of assembly project would not create any significant environmental impacts (see Attachment C, Initial Study).

According to the April 2005 Phase I Environmental Assessment by GeoTrans Inc, the subject site was historically used as a motel in the 1960's through

early 1970s, then as a an industrial building (the current structure) since 1981. The previous tenant, Arrow Electronics, appears to have used the building for sales, administrative and services activities but not for manufacturing activities.

According the to City's Hazardous Materials Coordinator, there is little in the way of hazardous materials use around the 500 block of Weddell or the 900-1000 block of Morse. The closest business with significant amounts of hazardous materials is Genus at 1139 Karlstad.

Use Permit

Detailed Description of Use: There are two proposed phases of use for this and the 539 E. Weddell site. During Phase I, this site will not be used for anything other than redevelopment of the site; all church activities will take place at the 539 E. Weddell site. Phase I ends when this site is ready for occupancy. During Phase II, all major assembly activity shifts to the subject site, with the 539 E. Weddell site proposed for limited activities from 8:00 a.m. to 6:00 p.m. Monday through Saturday.

Once all the remodeling construction is completed and Phase II begins, the subject site will serve as the primary meeting facility for the proposed church. It will be used regularly for Sunday worship services, midweek evening ministry classes, and special events including church dinners, weddings, concerts and church offices. It is not intended to have more than 500 people occupying the building at any one time. The applicant's plan is to grow the Sunday congregation attendance (including adults and children) to approximately 500. At which time, the intent is to split off approximately 100 individuals from the congregation to start a new church in another location. Thereafter, each time the 500 attendance mark is reached, approximately 100 people will be split off to start a new church elsewhere. Since the applicant's intent is to also use the property located at 539 E. Weddell Drive, they are planning on using parking spaces from both locations to satisfy any parking needs as both buildings will not be used simultaneously.

The following table lists the proposed uses. A breakdown of the uses by time is listed in Attachment B as recommended Condition of Approval 1.M. Of note is that although some of the combination of uses may exceed a total of 500 adults or 600 people (adults and children), the table of allowable uses in the recommended Conditions of Approval limits the maximum number of adults at 500 or maximum number of people (adults and children) at 600 on the site at any given time.

Room	Day & Time	Max. #	Use
<i>Sanctuary</i>	Sun. 10:45 a.m.– 12:30 p.m.	500 people	To be used for religious services. Not to be used simultaneously with the Fellowship Hall, classrooms, or café, though will be used along with the Kid's Church.
<i>Kid's Church</i>	Sun. 10:45 a.m.– 12:30 p.m.	100 children	To be used for age-appropriate worship service for primary grade children while adults are using the sanctuary. The kids occupying this room will be the children of the adults using the Sanctuary. Not to be used simultaneously with the Fellowship Hall, classrooms, or café, though will be used along with the Sanctuary.
<i>Fellowship Hall</i>	one Sun./month 12:30–2:00 p.m. Wed. 5:00–9:30 p.m. Sat. 8:00–10:45 a.m.	500 people	To be used for special events such as dinners, wedding receptions, etc. Not to be used simultaneously with the Sanctuary or Kid's Church. If used concurrently with the café or classrooms, total number of adults may not exceed 500 and total number of people (adults and children) may not exceed 600).
<i>Café</i>	Sun. 8:00 a.m.– 10:45 a.m. and 12:30–6:00 p.m. Mon.–Fri. 10:00 a.m.–4:00 p.m.	250 people	To be used before and after services on Sundays, and on weekdays as a gathering place to relax, read, socialize, enjoy refreshments, or listen to music. Not to be used simultaneously with the Sanctuary or Kid's Church. If used concurrently with the Fellowship Hall or classrooms, total number of adults may not exceed 500 and total number of people (adults and children) may not exceed 600).

Room	Day & Time	Max. #	Use
<i>Classrooms</i>	Sun. 9:30–10:30 a.m. Wed. 6:00–10:00 p.m.	100 people	To be used for Christian education and Midweek Ministry classes for adults and children. Not to be used simultaneously with the Sanctuary or Kid's Church. If used concurrently with the Fellowship Hall or café, total number of adults may not exceed 500 and total number of people (adults and children) may not exceed 600).
<i>Offices</i>	Mon. – Fri. 8 a.m. – 5 p.m.	12 adults	To be used by paid and volunteer staff. These rooms will not be used simultaneously with any of the assembly areas other than the café.
<i>Lobby</i>		pass through only	To be used only for entering and exiting the building. There will be no chairs or benches in the lobby, and it will not be a gathering room.

Site Layout: The one-story industrial building is offset to the side of the lot, with parking on three sides and a landscaping buffer along the western side.

Solid Waste: The existing trash enclosure will need to be upgraded to meet Municipal Code requirements for solid waste and recycling enclosures.

Stormwater Management: The proposed project does not include removing or replacing at least 10,000 square feet of impervious surface, thus a stormwater management plan is not required.

Easements and Undergrounding: The Sunnyvale Municipal Code requires all utilities and communication services associated with new development, redevelopment, subdivision or change in use to be placed underground. (No overhead utilities were observed on the site during the site inspection; however, if any such utilities are identified during the development of the site, they would need to be undergrounded.)

Architecture: The existing building is a standard one-story industrial tilt-up building. The applicant has not proposed any notable modifications to the building (see elevations in Attachment D). Minor modifications to the façade may be addressed during the Building Permit stage. Any proposed signage requires a separate sign permit.

Landscaping: The site currently has 36 trees on the site, 19 of which are protected trees. Protected trees are those that measure 38 inches or greater in circumference when measured at four feet from the ground. Of the trees evaluated, 25 are listed as excellent specimens, 6 are good specimens, and 5 are fair specimens. With proper protection measures, all of the trees may be preserved.

The Arborist Report indicated that 12 trees may be at risk from the installation of the sidewalk, as required per City Code. Protection measures will be needed to protect these trees. The potential impact to the trees located in the public right-of-way may be addressed through specific sidewalk construction requirements and by allowing for a meandering sidewalk design. Based on the comments provided in the Arborist Report, the irrigation system is not fully functional and at least 9 trees are suffering from drought stress. The Arborist Report includes several recommendations for protecting and preserving the trees located on the site and those along the property line which contribute to the site.

Parking/Circulation: The site currently has 134 parking spaces. The applicant has proposed reconfiguring the parking, for a total of 136 on the subject site. The 539 E. Weddell site, which is being reviewed in concert with this application and proposed for shared parking, will have 60 parking spaces. The applicant intends to purchase both the 521 and the 539 E. Weddell sites with the intent of only using one site for assembly activities at any given time. This is a feasible shared parking agreement, given that the sites are only separated by one lot (170 feet). The shared parking arrangement results in a total of 196 parking spaces available for either site at any given time.

Unless there is a condition of approval limiting the use of the facility, the site does not meet the parking requirements for the proposed use. Given the size of the building, the site could be drastically under-parked for a maximum assembly usage. If all rooms were to be used at the same time for their proposed use – with the sanctuary, fellowship hall, kid's church and café as assembly areas, as well as classrooms and the offices – the site could require up to 740 parking spaces. Alternatively, if the site is calculated for only the assembly areas and a general calculation for all other areas (at a 1 space per 180 square feet rate), the required parking would still be 578 spaces.

The inadequate parking may be addressed by requiring a Transportation and Parking Management Plan (TPMP) which places several limitations on the use of the site and on the use of the proposed partner site at 539 E. Weddell. The limitations include which rooms on the subject site can be used at any given time, fixed seating in the areas of assembly, hours of operation, maximum number of people on site at any given time, and may also encourage some form

of carpooling or use of public transportation (although the nearest bus lines, Routes 26 or 54, are at least 1,000 feet from the subject site).

The applicant has proposed limiting the use of the site to certain rooms at any given time, with no overlap allowed between the uses of rooms. For example, during the peak use time (Sunday service), only the Sanctuary and the Kid's Church would be used.

While the applicant originally expressed reluctance to consider fixed seating for the Sanctuary and does not consider it to be a preferable option, they are willing to concur with required fixed seating in order to accommodate City design requirements for adequate parking. The applicant offered to reduce the overall target occupancy as an alternative instead of the fixed seating. However, the parking calculation is not based on Building Code occupancy, but rather on either size of assembly area or number of fixed seats.

With the application's modification of the seating in the sanctuary to fixed seats to assure use for a total of 500 people, including the seating needs of both the congregations as well as the officiates and staff supporting the worship activities in the Sanctuary. With the addition of the fixed seats and with the limitation on usage of space, there would be adequate parking available for the site. This will, however, require the use of 42 parking spaces offsite (proposed as 539 E. Weddell) and limits the potential usage on that site while the subject site is being used. It will also require the applicant's proposal to not use some rooms concurrently to be included as a condition of approval.

The one remaining issue is the parking requirement for the café. If calculated based on assembly area alone, it would require 210 parking spaces. However, given the stated primary intent to serve the people attending the Sunday service, the numbers are expected to be limited to people already on-site for services. The café can therefore be conditioned to only be an ancillary use on Sundays, and to be a social gathering place with a maximum of 250 people (as stated in the planned uses table) during the rest of the week.

Based on the Code requirements, considering the café as a concurrent use which would require a total of 148 spaces, which are 12 spaces fewer than what is currently available on site. However, the additional 12 spaces may be accounted for with a shared use agreement with the 539 E. Weddell site.

The allowable uses on both sites should be coordinated and similarly restricted, such that there is no proposed overlap between the uses on the two sites. Further, there should be some buffer of time between the scheduled uses on the 2 sites (at least 30 minutes) to minimize the impact of vehicles leaving after use of one site and arriving for use of the other. The applicant has stated their intent to use the 539 Weddell site as a primary use until the

subject site is complete, and then to drastically decrease the use (no concurrent use during peak use of 521 E. Weddell site on Sunday and weekday evenings) while they pursue approval for a childcare center through a separate future application.

Circulation. The circulation on the site will be modified as part of this project. The site currently has 3 entry/exits, 2 along Morse Avenue and one on Weddell. One of the access routes on Morse is located within 30 feet of the intersection of Morse and Weddell, and transportation staff requested the applicant remove that entry/exit due to concerns with traffic stacking on Morse and safety.

Aisle Width. There is at least one area on the site that does not appear to meet the required aisle width. This is due to the proposed landscaped island at the northeast section of the site. It could be addressed by slightly reducing the depth of the proposed landscaping island in the northeast section of the site by 2 feet. This is not expected to reduce the landscaping below the required area.

Bicycle Parking. VTA Guidelines indicate the need for at least 1 Class I (enclosed locker) and 23 Class II (racks). The enclosed parking may be met by allowing access to the storage room located on the northeast corner of the property. The Class II requirement may be met by providing 2 to 4 racks that provide parking for at least 23 spaces.

Expected Impact on the Surroundings: The primary impacts on the surrounding properties are expected to be traffic and parking. The proposed use will result in high volumes of traffic arriving and leaving the site within a relatively short time-frame, and a large number of parking spaces needed for the peak volume periods (Sunday mornings and Wednesday evenings).

Fiscal Impact

Based on the hours of operation and the low attendance during weekday a.m. and p.m. peak commute hours, there will be no Transportation Impact Fee associated with this project.

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

No letters were received from the surrounding neighbors regarding this project. Staff was contacted by representatives of the neighboring Korean Catholic Mission Church for information on the application. The Santa Clara Valley

Water District indicated that the proposed project does not impact Water District supply or flood protection facilities.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 816 notices mailed to the property owners and residents within at least 300 ft. of the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Conclusion

Discussion: The key issues from this project are the proposed place of assembly use in Industrial area and parking.

While the City Council approved an emergency moratorium on places of assembly in Industrial zones to allow more time for the related study issue to be completed, this application was submitted prior to the moratorium being established. Thus, this project is being reviewed under the previously established review process for such proposed used in Industrial zones, which included a conservative approach to recommending such uses.

Assembly Use in an Industrial Area. The proposed use for this site is not permitted by right in this zoning district. While staff typically takes a conservative approach to proposals for assembly uses in Industrial zoned areas, per Council direction, the subject site is located adjacent to an existing church and just south of an Industrial to Residential (ITR) zoned area that is transitioning to residential. The peak usage times for the proposed use are not anticipated to be the same as those of the businesses in the vicinity of the site. Based on the proposed Conditions of Approval, including a Transportation and Parking Management Plan, the anticipated impact on neighboring sites is anticipated to be minimal. To further address the concern of potential impact, staff is recommending a time-limited approval for the project. Specifically, staff recommends allowing the religious community center for up to 3 years with the shared parking agreement. After 3 years, the applicant would need to re-apply to continue the use, which would allow the City to determine if the center was having a long-term negative impact on the industrially zoned area or on the surrounding properties.

Parking. With the establishment of several conditions of use for both the subject site at 521 E. Weddell as well as the partner site at 539 E. Weddell, the sit may be in compliance with the parking requirement. Staff does not typically encourage this type of approach as it is difficult to monitor; however, given the recognized value of religious places of assembly to meet the needs of the community, staff can support the use based on the proposed conditions. If the conditions related to the amount of available parking were to be relaxed, staff would not likely be able to support the proposed use as the site would be drastically under-parked if allowed a maximum assembly usage.

Staff is specifically recommending the following conditions be established:

- The assembly areas (Fellowship Hall, café and classrooms) may not be used concurrently, with the exception of the use of the Sanctuary and Kid's Church.
- The Sanctuary should have fixed seats, with no more than 500 fixed seats.
- Use of the Kid's Church will be used only for children under the legal driving age (such that the "Grades K-8" parking requirement for schools of 3 parking spaces per classroom calculation can be used).
- During peak use hours (Sundays and weekday evenings), the café shall be an ancillary use to the Sanctuary and Kid's Church.
- The partner site at 539 E. Weddell may not be used for church activities during peak use periods for 521 E. Weddell such that the demand on the shared parking is not exceeded. This project requires 42 of the 539 Weddell parking spaces to be allocated to this use.

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Use Permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Adopt the Negative Declaration and approve the Use Permit with attached conditions (including limiting use of the building and the number of attendees).
2. Adopt the Negative Declaration and approve the Use Permit with modified conditions.
3. Adopt the Negative Declaration and deny the Use Permit.
4. Do not adopt the Negative Declaration and direct staff as to where additional environmental analysis is required.

Recommendation

Alternative 1.

Prepared by:

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Reviewed by:

Gerri Caruso
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Reviewed by:

Trudi Ryan
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Negative Declaration
- D. Site and Architectural Plans
- E. Arborist Report
- F. Letter from the Applicant

Recommended Findings - Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element.

Policy N1.14 Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial, and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project provides for a continuity of unique cultural/religious resource that adds social value to the Sunnyvale community.

The Southbay Christian Church is proposed to be located in an Industrial zone, which may result in issues of compatibility. Staff finds that in the short term, the proposed use is compatible with the existing businesses and residences in the area. The property is located near residential uses and sites located in the M-S/ITR (Industrial to Residential) Zoning District. The proposed use may limit possibilities for new industrial uses to move into the area; however, as conditioned and due to the recommended limited three-year duration of this permit, the City will have an opportunity to review the use again if the applicants choose to request to stay longer. Staff considers existing controls to be sufficient to address compatibility issues and to be consistent with conditions placed on similar projects in Industrial areas.

2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District. While it may limit the uses on the neighboring sites, some of those potential uses have already been affected by an existing religious place of assembly. The parking impacts are expected to be shared with a neighboring site, which may be addressed through a Transportation and Parking Management Plan.

Recommended Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved by staff level by the Director of Community Development.
- B. The Conditions of Approval shall be reproduced on the cover page of the plans submitted for a Building permit for this project.
- C. The Use Permit shall expire if the use is discontinued for a period of one year or more.
- D. This Use Permit shall be restricted to three years from the date of occupancy, or four years from the date of Planning approval, whichever is less. To continue the use on the site, the applicant must then apply to the Planning Commission for another Use Permit which will include an analysis of impacts of the use on the existing and neighboring sites. The applicant is advised to apply for the new Use Permit at least 3 months prior to the expiration date of this Use Permit to allow for continuity of use.
- E. Construct new sidewalk, curb, and gutter along both street frontage of the project site (along Morse and Weddell). Sidewalk may have a meandering design to minimize impact on existing mature trees
- F. Limit regular on-site attendance of all persons to 500 at one time.
- G. Install a curb ramp at the corner of Morse and Weddell.
- H. Out-of-door loudspeakers are prohibited.
- I. Obtain a Business License (or submit a change of information for an existing license) prior to occupancy.
- J. The entire site shall be used for the proposed Southbay Christian Church as defined in the report. Portions of the site may not be leased for other uses.
- K. The seating in the Sanctuary shall be fixed such that the seats are not movable. The fixed seats shall assure use for a total of 500 people,

including the seating needs of both the congregations as well as the officiates and staff supporting the worship activities in the Sanctuary.

- L. Phase I uses are limited to redevelopment activities only with no assembly uses. (Phase I ends when the site is operational.)
- M. Phase II hours of operation are limited to 8:00 a.m. to 10:00 p.m. Monday through Sunday with large assembly uses restricted to 5:00 p.m. to 10:00 p.m. Monday through Saturday and 8:00 a.m. to 10:00 p.m. on Sunday. (Phase II begins when site is operational.)
- N. During Phase II the allowable uses on the site will be coordinated and restricted with the uses on the 539 E. Weddell site, such that there is no proposed overlap between the uses on the two sites. There shall be at least a 30 minute buffer between the scheduled assembly uses on the 521 and 539 E. Weddell sites to minimize the impact of vehicles leaving or arriving at the sites.
- O. The activities, hours of operation, frequency, and maximum number of practitioners shall not exceed those listed in the following table:

Day & Time	Rooms Used	Max. Total Adults	Max. Total People
Sunday 8:00 a.m. – 10:45 a.m.	Café, Classrooms (9:30-10:30)	350	350
Sunday 10:45 a.m. – 12:30 p.m.	Sanctuary, Kid's Church	500	600
Sunday 12:30 p.m. – 6:00 p.m.	Café, Fellowship Hall (12:30–2:00 p.m. once/mo.)	500	600
Monday–Friday 8:00 a.m. – 5:00 p.m.	Offices, Café (10:00– 4:00)	250	250
Wednesday 5:00 p.m. – 10:00 p.m.	Fellowship Hall, Classrooms (6:00– 10:00)	500	600
Saturday 8:00 a.m. – 10:45 a.m.	Fellowship Hall	500	500

- P. The major assembly halls (Sanctuary, Kid's Church, Fellowship Hall, Café, Classrooms), shall not be used concurrently, with the exception of the Sanctuary and Kid's Church.
- Q. The Lobby area may not be used as a place of assembly, but only as transition space to move into one of the major assembly halls. Chairs shall not be placed in the lobby area.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Meet all Building Code requirements and obtain all necessary Building Permits.
- B. Obtain necessary Development Permit(s) from the Department of Public Works for all proposed and required off-site improvements, including for all improvement in the public right-of-way.
- C. This project shall comply with all DPW/Engineering standard development requirements (available upon request).
- D. Any existing deficient public improvements shall be upgraded to current City standards, such as driveway approaches and upgrade existing water meter to radio-read water meter.

3. PARKING

- A. Prior to obtaining a Building Permit, submit a Transportation and Parking Management Plan (TPMP) to the Director of Community Development for approval. The TPMP shall provide additional parking for 42 spaces at 539 E. Weddell (2005-0803) or a nearby site (and potentially more spaces if needed due to site modifications for the solid waste enclosure). The TPMP shall be approved by the Director of Community Development.
- B. The shared parking agreement shall be recorded with the deed for both the subject site and the shared parking site prior to occupancy.

4. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. Final exterior building materials and color scheme are subject to review and approval of the Planning Commission/Director of Community Development prior to issuance of a building permit.

5. LANDSCAPING

- A. Allow for a meandering sidewalk (to be installed along the south and west boundaries of the site) to protect the existing trees.
- B. All existing landscaping and irrigation systems shall be maintained in a neat, clean, and healthful condition.
- C. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices.
- D. Maintain trees along side and rear property lines.
- E. Do not remove any existing protected trees unless a tree removal permit is approved.

6. TREE PRESERVATION

- A. Prior to issuance of a Building Permit, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval. Special measures may be required for installation of the sidewalk.
- B. The tree protection plan measures shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.
- C. The tree protection plan shall remain in place for the duration of construction.
- D. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120, and shall meet all of the proposed protection measures stated in the Arborist Report.
- E. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.

7. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development, to ensure site has adequate light in the parking lot area. Parking area lights shall include the following:
 - 1. Sodium vapor (of illumination with equivalent energy savings).
 - 2. Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project near the potential Industrial to Residential site.
 - 3. Provide photocells for on/off control of all security and area lights.
 - 4. All exterior security lights shall be equipped with vandal resistant covers.
 - 5. Wall packs shall not extend above the roof of the building.
 - 6. Lights shall have shields to prevent glare onto adjacent residential properties.
 - 7. Upgrade street light poles to Marbelite.

8. BICYCLE PARKING

- A. Provide 1 Class I (or allocate appropriate space) and Class II (for up to 23 bicycles) parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development.

9. RECYCLING AND SOLID WASTE

- A. Submit a revised detailed recycling and solid waste disposal facility design to the Director of Community Development for approval prior to the issuance of Building Permits.
- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- C. The enclosure shall be of masonry construction and shall match the exterior design, materials and color of the main building.

10. SIGNS

- A. All existing/new signs shall be in conformance with Sunnyvale Municipal Code and require a separate permit.

11. UNDERGROUND UTILITIES

- A. Any existing utilities and service drops on the site or along the adjacent public right-of-way shall be undergrounded. (While none were noted by staff, if such utilities are identified during the development of this project, applicant shall meet all City requirements).

12. PUBLIC WORKS

- A. Upgrade existing fire hydrants to meet current city standards. Existing hydrants shall be salvaged and returned to Public Works Department.
- B. Existing utilities need to be upgraded to meet current city standards.
- C. Provide new driveway approaches on Morse Ave and Weddell Dr.
- D. All existing utility lines and /or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City.
- E. Install stop sign at driveway exits.

13. FIRE SAFETY

- A. As applicable, comply with the requirements contained in Sunnyvale Municipal Code Chapter 16.52, 16.53 and 16.54; California Fire Code, Title 19 California Code of Regulations, including:
 - 1. Provide approved fire extinguishers (minimum size of 2A10BC).
 - 2. Provide approved range hood protection system UL 300 (UFC 1006).
 - 3. Provide a K class fire extinguisher in the kitchen for deep fryers.

4. Provide illuminated exit signs (CFC 1212.4).
 5. Provide emergency egress lighting (CFC 1212.1).
 6. If deemed necessary, a Knox Box system (key switch) shall be located in accordance with the Fire Prevention Bureau requirements.
 7. Install panic hardware on exit doors (CFC1207.4).
 8. Corridor protection requirements (2.3 Appendix 1-A UFC).
 9. Insure sprinkler protection systems & exiting requirements comply with Assembly occupancy.
- B. The water supply for fire protection and fire fighting shall be approved by the Department of Public Safety.
- C. Fire access lanes are required and shall be marked in accordance with MC 16.52.160, UFC 901.